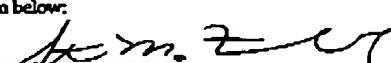


DOCKET NO. 68546/7114

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appln. No.:	09/785,205	<u>Certificate of Transmission/Mailing</u>
Applicant:	Hardacker, Robert L.	I hereby certify that this correspondence is being facsimile transmitted to the USPTO, Fax No. (703) 872-9306, or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.
Filed:	February 20, 2001	<u>06/30/04</u>
Title:	WIRELESS SPORTS VIEW DISPLAY AND BUSINESS METHOD OF USE	Steven M. Freeland Registration No. 42,555 Attorney for Applicant
Examiner:	D'Agosta, Stephen M.	
Art Unit:	2683	
Customer No.:	22242	
Confirm. No.:	3939	

DECLARATION PURSUANT TO 37 C.F.R. § 1.131

Mail Stop Amendment
 Commissioner of Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Sir:

I, Robert L. Hardacker, declare as follows:

1. I am the sole inventor of the subject matter claimed in U.S. Patent Application Serial No. 09/785,205.

2. I am currently and was at all times mentioned herein employed by Sony Electronics Inc., the assignee of U.S. Patent Application Serial No. 09/785,205.

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Application No. 09/785,205
Declaration

3. I am informed that Claims 1-22 in the above-captioned U.S. patent application were rejected under 35 U.S.C. § 102(e) as being anticipated by Ortiz et al., U.S. Patent Application Publication No. US 2002/0063799. I am further informed that for purposes of 35 U.S.C. § 102(e), the effective date of the Ortiz et al. reference is October 26, 2000, which is the filing date of the Ortiz et al. provisional application No. 60/243,561.

4. All of the facts described hereinafter occurred in the United States of America.

5. I am personally familiar with the circumstances of and timing of the invention of the subject matter claimed in the above-captioned patent application.

6. Based on my personal knowledge, the invention recited in all of the pending claims was completely conceived before October 26, 2000, which is prior to the effective date of the Ortiz et al. reference.

7. Based on my personal knowledge, before October 26, 2000, the design of the invention was complete enough that I could have made the invention.

8. Exhibit A, submitted herewith, is a copy of an Invention Disclosure form signed by me bearing dates (blocked out) of or after conception of the invention that are in every instance prior to October 26, 2000. Exhibit A shows that I conceived the subject matter claimed in the above-captioned patent application prior to October 26, 2000.

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Application No. 09/785,205
Declaration

9. Upon completion of the above mentioned Invention Disclosure form, I submitted the Invention Disclosure form to the Intellectual Property Department of Sony Electronic Inc., the Intellectual Property Department of Sony Electronics Inc. evaluated the Invention Disclosure and forwarded the disclosure to outside counsel. Outside counsel prepared the subject patent application with my help and I am told the application was filed on February 20, 2001.

10. As I am informed by counsel I must, I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patents issuing thereon, or any patent to which this Declaration is directed.



Robert L. Hardacker

Dated: 30 June, 2004

Attachments: Exhibit A (Invention Disclosure)

b:\68546dec.002

Exhibit A

REJOINED

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FJZ

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INVENTION DISCLOSURE IPD SAN DIEGO

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*Note: Detailed instructions for completing this form can be found in Appendix V of Sony's Patent Guide for Engineers and Inventors.*IPD Case #: 50P4071
(IPD use only)

I. IDENTIFICATION

1a. Short Descriptive Title of the Invention:

Wireless Sports View Display Business Plan Method

1b. Short Summary of the Invention:

This is a business model for a wireless display device at sporting functions to display, optionally, alternative camera angles, broadcast feeds, and statistics for crowd members using short-range technology.

2. Name of Responsible Patent Coordinator (if any): Paul Georgie

Business Address: 16450 West Bernardo Dr. MZ 7205 / San Diego, CA 92127

Business Phone/Fax:

Business Email Address:

3. Identify all persons who contributed to the present invention including persons from other Sony Divisions, Sony Japan and Outside Companies. Final determination of inventorship is a legal question which will be resolved at a later time.

(1)

Full Legal Name: Robert L. Hardacker

Home Address: 402 Santa Rosalina Court, Escondido, CA 92029

Citizenship: US

Business Address (include mail drop): 16450 West Bernardo Dr. MZ 7200 / San Diego, CA 92127

Business Phone/Fax:

Business Email Address:

Division / Company / Location: ATC / DCA / San Diego

 Sony Employee Intern Contractor/Consultant Temp. Other:

Manager's Name: David A. Desch

Business Address: 16450 West Bernardo Dr. MZ 7205 / San Diego, CA. 92127

Business Phone/Fax:

Business Email Address:

(2)

Full Legal Name:

Home Address:

Citizenship: (If Japanese, please provide name in Kanji)

Business Address (include mail drop):

Business Phone/Fax:

Business Email Address:

Division / Company / Location:

 Sony Employee Intern Contractor/Consultant Temp. Other:

Manager's Name:

Business Address:

Business Phone/Fax:

Business Email Address:

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CARLA KRUEGER

PASS ELIGIBILITY

IF N SENT BACK

(3)

Full Legal Name:
Home Address:
Citizenship: (If Japanese, please provide name in Kanji)
Business Address (include mail drop):
Business Phone/Fax:
Business Email Address:
Division / Company / Location: / /
 Sony Employee Intern Contractor/Consultant Temp. Other :

Manager's Name:
Business Address:
Business Phone/Fax:
Business Email Address:

(4)

Full Legal Name:
Home Address:
Citizenship: (If Japanese, please provide name in Kanji)
Business Address (include mail drop):
Business Phone/Fax:
Business Email Address:
Division / Company / Location: / /
 Sony Employee Intern Contractor/Consultant Temp. Other :

Manager's Name:
Business Address:
Business Phone/Fax:
Business Email Address:

(Use Additional Inventors sheet if necessary)

II. BACKGROUND INFORMATION

1. Do you believe this invention was developed while working under or in the performance of experimental, developmental or research work called for by a Government Contract or upon the understanding that a Government Contract would be awarded?
 NO YES
2. Has your invention been disclosed to anyone outside of Sony in a speech, exhibit, presentation, product, product manual, report, lecture, trade show, technical article, publication or otherwise?
 NO YES
3. Is this invention related to any previous Sony Invention Disclosures of which you are aware (made by you or someone else)?
 NO YES
4. If you responded "YES" to any of questions 1-3, please explain below:

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5. Name of product(s) or project(s) for which this invention was developed:

Sony wireless PDAs

6. When do you expect a product incorporating this invention to be sold, offered for sale or shown to someone outside of Sony? (If a product or prototype has already been sold, offered for sale or shown, please identify the earliest date this happened.):

7. Has a working model of the invention been built and tested (or appropriate software been written)?
 NO YES: If yes, who has witnessed a demonstration, and when?

8. List below any patents, publications, articles, texts, products, etc. which describe technology similar to your invention including reference material which may be useful in understanding the background technology of your invention: (Include a copy of each item to IPD. Please include copies of all bibliographical information.)

III. DESCRIPTION OF THE INVENTION

Provide a concise technical description of your invention in the format outlined below on the following pages.

- 1: Explain the problems, issues or needs which led to the invention, and explain how others have addressed these problems, issues or needs.
- 2: Describe your invention in terms of how it solves the problems described in paragraph 1. Specifically identify the new or novel features of your invention. Describe the construction and operation of the invention including drawings (flow charts, schematics, block diagrams, mechanical drawings, photographs, etc.) You may attach documentation in the form of letters, memos, engineering notebook pages, etc. if available, or you may use as many invention disclosure data sheets as necessary. Be sure each page is signed, dated and witnessed.
- 3: If there is more than one way to implement your invention, describe the "Best Mode" or your personal preference as to how to best implement, build, produce, or use your invention (e.g. preferred parts, materials, techniques, etc. which you feel are best in practicing your invention). Each submitter's opinion is important here, even if there is disagreement. Please list anything you think will make the invention better in any way.
- 4: Briefly describe any alternate uses, variations or modifications of your invention, if any, which you contemplate.

Signature of Submitter(s)		Read and understood by: Signatures of Witnesses (at least two witnesses preferred)			
<u>Ronald Hardack</u>	Date	<u>Stephen Bensel</u>	Date		
	Date				
	Date				
	Date				

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Invention Disclosure Data Sheet

1. This is a disclosure for a business plan, not necessarily for the device, as a way to merchandise at sports events and similar venues. Current NASCAR racing events allow attendees to rent (or use their own) headsets which for an additional fee can be programmed to the wireless frequencies used by different drivers and their pit crews enabling fans to participate more fully in the racing experience by listening live to ongoing conversations. Television broadcasters employ multiple cameras switched by the director in the local broadcast van for uplink and subsequent broadcast. On board cameras have become ubiquitous within the industry for still another "in-car" perspective.

The problem is untapped potential revenues from the attendees (and advertisers) of this and other live sporting events which limit the attendees to a single perspective and whom would pay additional monies to further enhance their experience. The additional sources of sight and sound already exist in the form of alternative camera angles and audio feeds. Revenues would likely be shared between the event's promoter and broadcaster.

Current competition exists in the form of "seat-back" fixed installations which by their nature have higher initial costs for installation and rely upon multiple events at the fixed venue and therefore take longer to recover initial investments. Additional minor competition exists with closed-circuit monitors in venue suites, lounges, etc. These traditionally do not offer the flexibility of this invention. Lastly current racing events offer headset rentals to "eavesdrop" in on drivers/crews.

2. This invention would utilize semi-dumb "PDA-like" devices with a display and 2-way transmission capabilities. Downstream would be data, audio, video, and advertisements while upstream would be data in the form of information requests, alternate camera displays (analogous to channels) with accompanying audio feeds. Development of a statistical database (analogous to an electronic program, but with additional information upon request). The database would be a powerful differentiator for this product by including statistics on drivers, players, teams, cars, venue, record holders, etc.

Because of the wireless nature this product is portable from venue to venue like other concessions at these types of events. Access to different camera angles & audio sources on-demand in addition to the database will be a great motivator of this. Advertisers can be used as either an additional revenue stream and/or subsidy for the renters.

Advertisers can be venue-specific concessionaires for food, drink, memorabilia, etc. and can also include local/regional/national vendors with a targeted audience.

Implementation would utilize a flat panel display PDA, but with less intelligence required, acting in a client mode. Each device would have an IP-like address which would be "enabled" on the "server" side to control access to paying customers only. Authentication can be easily implemented with a public/private key encryption system. The network side would utilize an IEEE 802.11 LAN (or similar implementation including, but limited to Bluetooth and others) capable of providing multiple downstream feeds of >1Mbps to enable user-selected streaming audio/video. Multiple antennas can be implemented as required analogous to a cellular phone model to ensure complete RF coverage due to the short range (<100 meters) limitations of available systems.

Rentals are initially envisioned with credit cards to cover the potential loss of units due to non-return at the end of an event.

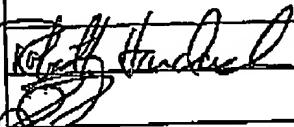
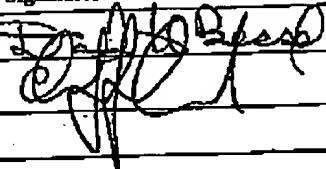
The portable nature of this invention both on the client and server side enables continuous use of the hardware which allows initial investment recovery sooner without relying upon just additional events at a fixed venue. Initial investment is kept lower than with seat-back systems by eliminating the manpower/hardware intensive costs of a fixed installation.

3. With current existing technology implementation with 802.11a wireless LAN offers some distinct advantages in performance over Bluetooth in data rate, number of simultaneous channels, & existent network technology. The streaming audio/video can be accomplished with MPEG-4 technology using video H.263 QCIF

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transmissions due to the small screen size. This is also easily upgradeable to CIF and larger size images as flat panels increase in size and data-rates increase.

4. Alternative uses include all sporting events as previously mentioned.

Signature of Submitter(s)		Read and understood by: Signatures of Witnesses (at least two witnesses preferred)			
	Date		Date		Date
	Date		Date		Date
	Date				Date
	Date				Date

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